

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

N^o 44201

Date of filing in State Engineer's Office JUL 28 1981
Returned to applicant for correction OCT 26 1981
Corrected application filed DEC 23 1981
Map filed DEC 23 1981

The applicant MARSHALL EARTH RESOURCES, INC.
One East Liberty St., Suite 612, of Reno
Street and No. or P.O. Box No. City or Town
Nevada, hereby make ^S application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)
Incorporated in Nevada on December 3, 1979

1. The source of the proposed appropriation is unnamed spring
Name of stream, lake or other source.
2. The amount of water applied for is 1.0 second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for milling, mining and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation (state number of acres to be irrigated)
(b) Stockwater (state number and kinds of animals to be watered)
(c) Other use (describe fully under "No. 12. Remarks")
(d) Power:
(1) Horsepower developed
(2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: Within the SW 1/4 NE 1/4 of
Section 14, T13N, R39E, M.D.B. & M. or from a point from which the northeast
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, corner of Section 1, T12N, R38E bears S 51°44'54" W a distance of 31,236.4 feet it should be stated.
6. Place of use Within the East 1/2 of Section 14, T13N, R39E, M.D.B. & M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) spring will be improved, installation of collection box and distribution system.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$5,000.00
10. Estimated time required to construct works two years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use five years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
the water from this source will be commingled with other water rights of applicant.

By s/Ross E. de Lipkau
Signature, applicant or agent Ross E. de Lipkau

Compared js/ cs 11/bm P.O. Box 2790
Reno, NV 89505

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 1.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 35890, 44201, 44366, 44367, 46638 and 46639 shall not exceed 65.18 million gallons annually.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.36

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per seconds, but not to exceed 65.18 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before January 17, 1987

Proof of completion of work shall be filed before February 17, 1987

Application of water to beneficial use shall be made on or before January 17, 1990

Proof of the application of water to beneficial use shall be filed on or before February 17, 1990

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed

Completion of work filed MAR 13 1987

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 17TH day of JANUARY

A.D. 1985

State Engineer

CANCELLED AUG 18 1993 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER